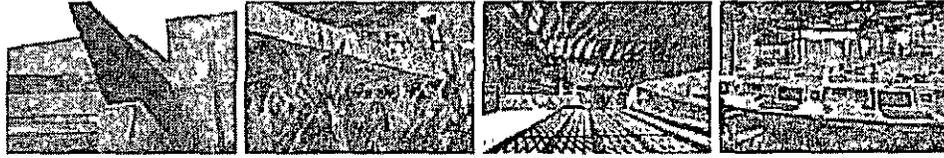


A U S T I N C I T Y C O U N C I L

**AGENDA**



Thursday, February 01, 2007

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**Zoning and Neighborhood Plan Amendments  
(Public Hearings and Possible Action)  
RECOMMENDATION FOR COUNCIL ACTION**

**ITEM No. 54**

**Subject:** C14-06-0205 - 2003 South Lamar - Conduct a public hearing and approve an ordinance amending Chapter 25-2 of the Austin City Code by rezoning property locally known as 2003 South Lamar (West Bouldin Creek Watershed) from family residence (SF-3) district zoning and general commercial services-conditional overlay (CS-CO) combining district zoning to general commercial services-mixed use-conditional overlay (CS-MU-CO) combining district zoning Staff Recommendation To grant general commercial services-mixed use-conditional overlay (CS-MU-CO) combining district zoning Planning Commission Recommendation: To grant general commercial services-mixed use-conditional overlay (CS-MU-CO) combining district zoning Applicant and Agent: Johnny Cuchia. City Staff: Robert Heil, 974-2330.

**Additional Backup  
Material**

(click to open)

**Staff Report**

**For More Information:**

**ZONING CHANGE REVIEW SHEET**

**CASE:** C14-06-0205

**PC DATE:** December 12, 2006

**ADDRESS:** 2003 South Lamar Blvd.

**OWNER/AGENT:** Johnny Cuchia

**ZONING FROM:** CS and SF-3      **TO:** CS-CO      **AREA:** 0.980 acres

**SUMMARY STAFF RECOMMENDATION:**

Staff recommends approval of the zoning request to CS-MU-CO limiting trips to no more than 2000 additional daily vehicle trips, and prohibiting the following uses:

- Adult oriented business
- Automotive rentals
- Automotive repair services
- Automotive sales
- Automotive washing (any type)
- Construction sales and services
- Convenience storage
- Equipment sales
- Pawn shop services
- Scrap and salvage services
- Service station
- Vehicle storage

The applicant agrees with the conditional overlay.

**PLANNING COMMISSION RECOMMENDATION:**

December 12, 2006: Approved CS-CO-MU with the staff recommended conditional overlay.

**DEPARTMENT COMMENTS:**

The site is currently developed with a former single family building being used as a realtor office. The front and rear portions of the site are zoned CS, and the center is zoned SF-3. The intent of the owner of the owner is rezone the entire site to CS-CO, and to build an office building on the front portion of the site. The back portion will be largely undeveloped, or may be used for stormwater detention and as a buffer for West Bouldin Creek.

**EXISTING ZONING AND LAND USES:**

	<b>ZONING</b>	<b>LAND USES</b>
<i>Site</i>	CS and SF-3	Office
<i>North</i>	CS	Auto Sales and Music Shop
<i>South</i>	CS and SF-3	Single Family Home, RR Tracks and Sound Studio.
<i>East</i>	CS	Retail and Self Storage
<i>West</i>	CS	Auto Sales

**AREA STUDY:** Zilker Neighborhood Plan (underway). **TIA:** Not required

**WATERSHED:** West Bouldin Creek **DESIRED DEVELOPMENT ZONE:** Yes.

**CAPITOL VIEW CORRIDOR:** No **HILL COUNTRY ROADWAY:** No.

**ABUTTING STREETS:**

Name	ROW	Pavement	Classification	Sidewalks	Bus Route	Bike Route
Lamar Blvd	Varies	Varies	Arterial	No	Yes	Priority 1

**CITY COUNCIL DATE:** 2/1/07

**ACTION:**

**ORDINANCE READINGS:** 1<sup>st</sup> 2<sup>nd</sup> 3<sup>rd</sup>

**ORDINANCE NUMBER:**

**CASE MANAGER:** Robert Heil

**PHONE:** 974-2330

**EMAIL:** Robert.Heil@ci.austin.tx.us

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## BASIS FOR RECOMMENDATION

The remnant portion of SF-3 zoning is no longer a viable site for use as a single family dwelling. Zoning the entire site to CS, is consistent with the character of development along South Lamar.

### Transportation

No additional right-of-way is needed at this time.

The trip generation under the requested zoning is estimated to be 6,209 trips per day, assuming that the site develops to the maximum intensity allowed under the zoning classification (without consideration of setbacks, environmental constraints, or other site characteristics)

A traffic impact analysis was waived for this case because the applicant agreed to limit the intensity and uses for this development. If the zoning is granted, development should be limited through a conditional overlay to less than 2,000 vehicle trips per day. [LDC, 25-6-117]

Existing Street Characteristics:

Name	ROW	Pavement	Classification	Sidewalks	Bus Route	Bike Route
Lamar Blvd	Varies	Varies	Arterial	No	Yes	Priority 1

### Site Plan

Site plans will be required for any new development other than single-family or duplex residential.



 100'	SUBJECT TRACT PENDING CASE ZONING BOUNDARY CASE MGR: R HEIL	<b>ZONING</b> CASE #: C14-06-0205 ADDRESS: 2003 S LAMAR BLVD SUBJECT AREA (acres): 0.980	DATE: 06-10 INTLS: SM	CITY OF REFERENCE NUMBER H20
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Any development which occurs in an SF-6 or less restrictive zoning district which is located 540 feet or less from property in an SF-5 or more restrictive zoning district will be subject to compatibility development regulations.

### **Environmental**

The site is not located over the Edwards Aquifer Recharge Zone. The site is located in the West Bouldin Creek Watershed of the Colorado River Basin, which is classified as an Urban Watershed by Chapter 25-8 of the City's Land Development Code. It is in the Desired Development Zone.

Impervious cover is not limited in this watershed class; therefore the zoning district impervious cover limits will apply.

This site is required to provide on-site structural water quality controls (or payment in lieu of) for all development and/or redevelopment when 5,000 s.f. cumulative is exceeded, and detention for the two-year storm. At this time, no information has been provided as to whether this property has any pre-existing approvals which would preempt current water quality or Code requirements.

According to flood plain maps, there is flood plain within the project area.

At this time, site-specific information is unavailable regarding existing trees and other vegetation, areas of steep slope, or other environmental features such as bluffs, springs, canyon rimrock, caves, sinkholes, and wetlands

Standard landscaping and tree protection will be required in accordance with LDC 25-2 and 25-8 for all development and/or redevelopment.

### **Water and Wastewater**

The landowner intends to serve the site with City of Austin water and wastewater utility service. The landowner, at own expense will be responsible for providing the water and wastewater utility improvements, offsite main extension, system upgrades, utility adjustments, and utility relocation. The water and wastewater utility plan must be reviewed and approved by the Austin Water Utility. The plan must be in accordance with the City of Austin utility design criteria. The water and wastewater utility construction must be inspected by the City. The landowner must pay all associated and applicable City fees.

**DISCUSSION AND ACTION ON ZONING CASES**

- 6. Rezoning: C14-06-0183 - CLB/7th and Rio Grande**  
 Location: 605 and 615 West 7th Street, Shoal Creek Watershed, Downtown NPA  
 Owner/Applicant: Michael J. McGinnis  
 Agent: Drenner & Golden Stuart Wolff, LLP (Michele M. Rogerson)  
 Postponements: Postponed on 11/14/06 (neigh)  
 Request: GR to CBD-CURE  
 Staff Rec.: **Recommendation of CBD-CURE-CO with conditions**  
 Staff: Jorge E. Rousselin, 974-2975, jorge.rousselin@ci.austin.tx.us  
 Neighborhood Planning & Zoning Department

***APPROVED DMU-CO WITH STAFF'S RECOMMENDATIONS & CONDITIONS TO ADD GREAT STREETS & 2000 VEHICLE TRIP LIMIT.  
 [P.CAVAZOS, C.RILEY 2<sup>ND</sup>] (6-2) M.DEALEY, C.GALINDO – NAY***

- 7. Rezoning: C814-06-0175 - East Avenue PUD**  
 Location: 3400 North IH- 35 Service Road, Waller Creek and Boggy Creek Watershed, Central Austin Combined - Hancock NPA  
 Owner/Applicant: Concordia University (David Kluth)  
 Agent: Alice Glasco Consulting (Alice Glasco)  
 Armbrust and Brown, LLP (Richard Suttle)  
 Request: GO-NP, LO-MU-NP, and CS-MU-NP to PUD-NP; Staff requests a postponement to January 16, 2007  
 Staff Rec.: **Recommendation pending**  
 Staff: Jorge E. Rousselin, 974-2975, jorge.rousselin@ci.austin.tx.us  
 Neighborhood Planning & Zoning Department

***POSTPONED TO 01/16/07 (STAFF)  
 [J.REDDY, M.DEALEY 2<sup>ND</sup>] (8-0)***

- 8. Rezoning: C14-06-0205 - 2003 S. Lamar**  
 Location: 2003 South Lamar, West Bouldin Creek Watershed, Bouldin NPA  
 Owner/Applicant: Johnny Cuchia  
 Agent: Johnny Cuchia  
 Postponements: Postponed on 11/28/06 (staff)  
 Request: SF-3 to CS  
 Staff Rec.: **CS-MU-CO**  
 Staff: Robert Heil, 974-2330, robert.heil@ci.austin.tx.us  
 Neighborhood Planning & Zoning Department

***APPROVED STAFF'S RECOMMENDATION FOR CS-MU-CO ZONING; BY CONSENT.  
 [J.REDDY, M.DEALEY 2<sup>ND</sup>] (8-0)***